



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130
www.ca.blm.gov/eaglelake
530-257-0456



August 22, 2005

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ENTERED
Office of Proceedings

AUG 23 2005

Part of
Public Record



Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, NW
Washington, D.C. 20423-0001

Subject: Docket No. AB-12 (Sub-No. 184X) Abandonment Exemption Wendel Alturas Line, California
(Related to FD 32706); Request for Extension of Negotiations for Trail Use

Dear Mr. Williams:

The Bureau of Land Management (BLM) Eagle Lake Field Office, with the concurrence of the BLM Alturas Field Office and Lassen and Modoc Counties requests extension of the negotiation period for rail banking the Wendel-Alturas segment of the Modoc Line referenced above, under the Surface Transportation Board's (STB) rules for Interim Trail Use and Rail Banking, 49 CFR 1152.29. This includes the entire Wendel to Alturas Line from MP 360.1 near Wendel to MP 445.6 (McArthur siding) near Alturas.

Through this letter we request that you extend the negotiating period under the Notice of Interim Trail Use (NITU) one year to enable the Bureau of Land Management and Lassen and Modoc Counties to continue active negotiations with Union Pacific Railroad begun in the spring of 2003 for rail banking of the Modoc Line referenced above in Docket No. AB-12 (Sub-No.184X). This additional time is needed to complete an appraisal and complete negotiations with UPRR regarding the value of the lands to be rail banked and to secure funding to carry out rail banking arrangements negotiated with UPRR. The NITU negotiating period regarding this line will expire on September 3, 2005 and needs to be extended to September 2006.

Our request for the one-year extension is based on the following:


- In 2005 BLM, with the support of Lassen and Modoc Counties, engaged American Land Conservancy to handle the rail banking appraisal, negotiations and assist in seeking funding for acquisition of the line from Union Pacific Railroad. American Land Conservancy and Union Pacific Railroad's Mike Sattler, Omaha Real Estate Division, Special Projects branch have conferred on this approach and Union Pacific is in agreement to extend the rail banking period for another year.
- American Land Conservancy (ALC) is a private non-profit group that works throughout the United States with local, state and federal government agencies and private groups to facilitate protection and enhancement of natural, historical and recreational resources. We have engaged ALC in this project because of their experience and expertise in complex acquisitions, land transactions and securing funding for special projects. ALC has completed many land

transactions for BLM including another rail trail that we manage out of this office. We look forward to rail banking the Modoc Line with ALC's assistance.

- BLM has taken the lead in past rail banking filings and needs to extend the rail banking negotiation period so that the opportunity to rail bank the line is not lost when the current STB authorized negotiation period expires on September 3, 2005;
- BLM, Lassen and Modoc Counties, working together, are the public entities best suited to take on management of the railroad right-of-way corridor under the NITU process because of our on going management responsibilities of lands adjacent to the line and available staff and equipment in the local area (BLM manages approximately 50% of lands adjacent to the line and the counties are responsible for the private lands issues in the area).
- Based on discussions among BLM and Lassen and Modoc Counties in 2005, the two counties may become the final holders of the railroad corridor under rail banking because they are the public entities best suited to benefit from rail banking the line so that the right-of-way remains in place to preserve options for future rail reactivation and for interim trail use by local residents and area visitors;
- Prior to purchase of the Modoc Line a professional appraisal is required before the counties or BLM could expend public funds to acquire the right-of-way corridor under rail banking;
- Completion of an appraisal has not been completed due to limited federal and county funds available for this project however BLM and Lassen and Modoc Counties have continued to seek additional funds for completing an appraisal and for acquiring railroad owned properties (requests for Congressional funding were made by Lassen and Modoc Counties through California Congressman John Doolittle in 2004 and 2005).
- Following an appraisal there will need to be sufficient time for American Land Conservancy on behalf of BLM, Lassen and Modoc Counties to negotiate a purchase price, secure funding and complete the transactions under rail banking.
- Securing funds will require special appropriations or other creative funding methods which will require at least another 12 months requested in this extension request.

We appreciate your consideration of this request for an extension. We request that you reaffirm the conditions currently in place including leaving all bridges and culverts in place and extend the negotiating period for rail banking one year to September 3, 2006. We believe a one-year extension will provide much needed time for appraisal, negotiation, funding and acquisition and that a six-month extension is unlikely to provide sufficient time to accomplish the various tasks necessary to complete rail banking the line. If you need any additional information, please contact Stan Bales of my staff at 530-252-5311.

Sincerely,



Dayne Barton
Field Manager

encl: lassen county- american land conservancy letter, 6-14-05
lassen county – senator feinstein letter, 6-16-05
city, county and rac resolutions of support - 7

cc: mike sattler, uprr –omaha
kerry o toole, american land conservancy

laura cohen, director, rails to trails conservancy, ca office, san francisco
congressman doolittle, roseville, ca
senator feinstein, san francisco, ca
bob sorvaag, director community development dept, lassen county
scott kessler, director, community development dept, modoc county,
lee chauvet, chairman, blm ne cal rac

County of Lassen
Board of Supervisors



ROBERT F. PYLE
District 1
JIM CHAPMAN
District 2
LLOYD I. KEEFER
District 3
BRIAN D. DAHLE
District 4
JOHN E. HANSON
District 5

WILLIAM D. BIXBY
Administrative Officer
County Administration Center
221 South Roop Street, Suite 4
Susanville, CA 96130-4339

(530) 251-8333
FAX: (530) 257-4898
e-mail: coadmin@co.lassen.ca.us

June 14, 2005

Kerry O'Toole
Vice President
American Land Conservancy
250 Montgomery St., Suite 210
San Francisco, CA 94104

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Dear Mrs. O'Toole:

Thank you for your time in meeting, at the BLM Eagle Lake Field Office on June 6th, 2005, with staff and officials of the BLM and the Counties of Lassen and Modoc, as well as your participation in the field trip of the Modoc Line the following day.

The Lassen County Board of Supervisors submits this letter to reaffirm the County's continued interest to preserve the Wendel-Alturas segment of the Modoc railway corridor and support of the American Land Conservancy's recent interest to participate in the preservation of the railway corridor. The ALC brings to the table a special expertise needed to facilitate the protection of the corridor.

Enclosed are past resolutions, by Lassen County, Modoc County, The City of Alturas, The City of Susanville, Lassen County Transportation Commission, and BLM Northeast California Resource Advisory Council, showing the continued willingness of stakeholders to preserve the Modoc Line corridor.

Sincerely,


LLOYD I. KEEFER, Chairman
Lassen County Board of Supervisors

LIK:RKS:ph
Enclosures:

Northeast California Resource Advisory Council Resolution, February 28, 2003
Lassen County Transportation Commission Resolution No. 03-01
Lassen County Board of Supervisors Resolution No. 03-020
Lassen County Board of Supervisors Resolution No. 96-021
City of Susanville Resolution No. 96-2774
Modoc County Board of Supervisors Resolution No. 03-24
City of Alturas Resolution No. 2003-19

Northeast California Resource Advisory Council

United States Department of the Interior · Bureau of Land Management

2950 Riverside Drive Susanville, CA 96130

February 28, 2003

Resolution of the Advisory Council Regarding the Wendel to Alturas Railroad Line

During a meeting Friday, Feb. 28, 2003, the council voted in support of existing local government resolutions to retain use of the Wendel to Alturas rail line. These resolutions are incorporated by reference and attached to the meeting minutes. The council also supported Modoc County's official position supporting retention of the rail line.

Further, the council cited homeland security interests as a rationale to retain an intact rail line. Members agreed the rail corridor could provide alternate rail transportation routes that would be important if other rail routes were disrupted. Members noted the line was used as an alternate route recently, in the case of the toxic spill near Dunsmuir, and during flooding in other areas of California. The rail route would also support the needs of current and future businesses in northeast California, and holds the potential to support tourism development.

If the railroad is physically abandoned (rails and ties removed), the council supported rail banking (a concept paper is attached), and recommended that the BLM continue to pursue that option to preserve the corridor. If rail banking occurs, the council recommended that a public involvement process should be used to help determine uses of the rail line corridor.

The council also noted that the rail corridor has historic significance as the route of the NCO narrow gauge line. The area through which the line passes and was used heavily in prehistoric times.

Passage of the resolution was moved by Tim Garrod and seconded by Jim Jeskey. Passage was by unanimous consent.

RESOLUTION NO. 03-01

A RESOLUTION OF LASSEN COUNTY TRANSPORTATION COMMISSION FOR USE OF THE WENDEL TO ALTURAS SEGMENT OF THE MODOC LINE OF UNION PACIFIC RAILROAD FOR CONTINUED LOCAL AND REGIONAL RAIL FREIGHT SHIPPING, FOR ALTERNATIVE RAIL USE FOR TOURIST AND RECREATIONAL RAIL USES AND IF NONE OF THE ABOVE ACTIONS ARE ABLE TO CONTINUE ON THE LINE, FOR PROTECTION OF THE ENTIRE RAILROAD CORRIDOR THROUGH RAIL BANKING WITH INTERIM TRAIL USE OF THE RAILROAD GRADE AND RIGHT-OF-WAY.

Whereas, on March 19, 1996 Lassen County passed resolution No. 96-021 supporting efforts to retain rail service on the Wendel to Alturas segment of the Modoc Line; and

Whereas, through the same resolution, No 96-021, Lassen County supported rail banking of the Wendel to Alturas segment of the Modoc Line by the Bureau of Land Management if rail use of the line does not continue; and

Whereas, on March 20, 1996 the City of Susanville passed resolution No. 96-2774 supporting efforts to retain rail service on the Wendel to Alturas segment of the Modoc Line; and

Whereas, through the same resolution, No 96-2774, the City of Susanville supported rail banking of the Wendel to Alturas segment of the Modoc Line by the Bureau of Land Management if rail use of the line does not continue; and

Whereas, on August 6, 1996 the Surface Transportation Board (STB) decided to authorized legal abandonment of the Wendel to McArthur segment of the Modoc Line (an 85.5 mile segment extending from directly north of Lassen County Road 320 where it crosses the railroad tracks 1.5 miles north of Wendel to a station called McArthur approximately 10 miles south of Alturas) as part of the merger between Southern Pacific Railroad Corporation and Union Pacific Railroad Corporation authorized in STB Finance Docket No. 32760, and

Whereas, during the past seven years since the legal abandonment decision by the Surface Transportation Board, Union Pacific Railroad has not pulled up the tracks and Modoc County has worked to save the Modoc Line from being removed by pursuing various initiatives to keep the rails in place and find ways to maintain an operating railroad on the Wendel to Alturas segment of the Modoc Line; and

Whereas, during the past seven years the Modoc line has, at times, carried up to 12 trains a day of through freight providing a viable alternative route when other segments of the regional rail system closed due to the effects of severe weather conditions such as flooding in the Sacramento Valley, snow on Donner Pass and rock falls and slides in Feather River Canyon; and

Whereas, since September 11, 2001, threats to national security have become a reality we all must face and consider; and

Whereas, the Wendel to McArthur segment of the Modoc Line is an essential link in an alternative north south route that has and should continue to provide an alternative link in a regional system in the event that future natural or man caused disasters shut down rail service on the more vulnerable Sierra,

Cascade and Sacramento Valley routes; and

Whereas, the Wendel to McArthur segment of the Modoc Line provides a large link in an existing regional railroad network that could in the future afford rail based tourism along a "Great Loop" that this network serves throughout Northeastern California including Susanville, Doyle, Portola, Quincy, Westwood, Chester, Burney and Alturas; and

Whereas, Union Pacific Railroad has satisfied Surface Transportation Board requirements for legal abandonment and is about to execute a salvage contract to have the rails and ties removed on the Wendel to McArthur segment of the Modoc Line;

NOW, THEREFORE, BE IT RESOLVED by the Lassen County Transportation Commission, as follows:

Section 1.

The Lassen County Transportation Commission supports the efforts of Modoc County to retain rail use of the Wendel to Alturas segment of the Modoc Line for use as a shipping route for both local and regional traffic; and

Section 2.

The Lassen County Transportation Commission supports retaining the rail for continued freight and other rail uses including excursions and other recreational uses of the line;

Section 3.

If efforts to retain the line do succeed and the rails and ties are removed, the Lassen County Transportation Commission supports retaining the railroad right-of-way for possible future rail use through rail banking and development of a management plan for interim trail use of the railroad grade.

PASSED AND ADOPTED at the regular meeting of the Lassen County Transportation Commission held, March 10, 2003 by the following vote:

AYES: Chapman, Fahlen, Sayers, Joy, Keefer, Dahle

NOYES: None

ABSENT: None

ABSTAIN: None


Chairman, Lassen County Transportation Commission

RESOLUTION NO. 03-020

A RESOLUTION OF THE LASSEN COUNTY BOARD OF SUPERVISORS FOR USE OF THE WENDEL TO ALTURAS SEGMENT OF THE MODOC LINE OF UNION PACIFIC RAILROAD FOR CONTINUED LOCAL AND REGIONAL RAIL FREIGHT SHIPPING, FOR ALTERNATIVE RAIL USE FOR TOURIST AND RECREATIONAL RAIL USES AND IF NONE OF THE ABOVE ACTIONS ARE ABLE TO CONTINUE ON THE LINE, FOR PROTECTION OF THE ENTIRE RAILROAD CORRIDOR THROUGH RAIL BANKING WITH INTERIM TRAIL USE OF THE RAILROAD GRADE AND RIGHT-OF-WAY.

Whereas, on March 19, 1996 Lassen County passed Resolution 96-021 supporting efforts to retain rail service on the Wendel to Alturas segment of the Modoc Line; and

Whereas, through the same Resolution, No. 96-021, Lassen County supported rail banking of the Wendel to Alturas segment of the Modoc Line by the Bureau of Land Management if rail use of the line does not continue; and

Whereas, on March 20, 1996 the City of Susanville passed Resolution No. 96-2774 supporting efforts to retain rail service on the Wendel to Alturas segment of the Modoc Line; and

Whereas, through the same Resolution, No. 96-2774, the City of Susanville supporting rail banking of the Wendel to Alturas segment of the Modoc Line by the Bureau of Land Management if rail use of the line does not continue; and

Whereas, on August 6, 1996 the Surface Transportation Board (STB) decided to authorize legal abandonment of the Wendel to McArthur segment of the Modoc Line (an 85.5 mile segment extending from directly north of Lassen County Road 320 where it crosses the railroad tracks 1.5 miles north of Wendel to a station called McArthur approximately 10 miles south of Alturas as part of the merger between Southern Pacific Railroad Corporation and Union Pacific Railroad Corporation authorized in STB Finance Docket No. 32760, and

Whereas, during the past seven years since the legal abandonment decision by the Surface Transportation Board, Union Pacific Railroad has not pulled up the tracks and Modoc County has worked to save the Modoc Line from being removed by pursuing various initiatives to keep the rails in place and find ways to maintain an operating railroad on the Wendel to Alturas segment of the Modoc Line; and

Whereas, during the past seven years the Modoc Line has, at times, carried up to 12 trains a day of through freight providing a viable alternative route when other segments of the regional rail system closed due to the effects of severe weather conditions such as flooding in the Sacramento Valley, snow on Donner Pass and rock falls and slides in Feather River Canyon; and

Whether, since September 11, 2001, threats to national security have become a reality we all must face and consider; and

Whereas, the Wendel to McArthur segment of the Modoc Line is an essential link in an alternative north south route that has and should continue to provide an alternative link in a regional system in the event that future natural or man caused disasters shut down rail service on the more vulnerable Sierra Cascade and Sacramento Valley routes; and

Whereas, the Wendel to McArthur segment of the Modoc Line provides a large link in an existing regional railroad network that could in the future afford rail based tourism along a "Great Loop" that this network serves throughout Northeastern California including Susanville, Doyle, Portola, Quincy, Westwood, Chester, Burney and Alturas; and

Whereas, Union Pacific Railroad has satisfied the Surface Transportation Board requirements for legal abandonment and is about to execute a salvage contract to have the rails and ties removed on the Wendel to McArthur segment of the Modoc Line;

NOW, THEREFORE, BE IT RESOLVED by the Lassen County Board of Supervisors as follows:

Section 1.

The Lassen County Board of Supervisors supports the efforts of Modoc County to retain rail use of the Wendel to Alturas segment of the Modoc Line for use as a shipping route for both local and regional traffic; and

Section 2.

The Lassen County Board of Supervisors supports retaining the rail for continued freight and other rail uses including excursions and other recreational uses of the line;

Section 3.

If efforts to retain the line do not succeed and the rails and ties are removed, the Lassen County Board of Supervisors supports retaining the railroad right-of-way for possible future rail use through rail banking and development of a management plan for interim trail use of the railroad grade.

PASSED AND ADOPTED at the regular meeting of the Lassen County Board of Supervisors held, March 18, 2003 by the following vote:

AYES: Supervisors Chapman, Pyle, Dahle, Hanson

NOES: None

ABSENT: Supervisor Keefer

ATTEST:

Theresa Nagel
Lassen County Clerk

Jim Chapman
Chairman of the Board of Supervisors

I, THERESA NAGEL, County Clerk of the County of Lassen, State of California, and ex-officio Clerk of the Board of Supervisors thereof, hereby certify that the foregoing resolution was adopted by said Board of Supervisors at a regular meeting held on the 18th day of March, 2003.

Theresa Nagel
Theresa Nagel, County Clerk

RESOLUTION NO. 96-021

A RESOLUTION OF LASSEN COUNTY'S SUPPORT FOR USE OF THE PROPOSED SOUTHERN PACIFIC RAILROAD ABANDONMENT FROM WENDEL TO ALTURAS FOR CONTINUED COMMERCIAL RAIL USE AND IF NOT ECONOMICALLY VIABLE FOR CONTINUED FREIGHT USE, FOR ALTERNATE RAIL USE FOR TOURIST AND RECREATIONAL RAIL USES AND IF NOT VIABLE FOR ANY OF THE ABOVE RAIL USES, SUPPORT FOR RAIL BANKING OF THE CORRIDOR FOR POTENTIAL FUTURE RAIL USE AND FOR INTERIM TRAIL USE OF THE RAIL GRADE AND RIGHT-OF-WAY.

WHEREAS, the County of Lassen is traversed by the majority of the proposed 85 mile Southern Pacific Railroad abandonment from near Wendel to near Alturas;; and

WHEREAS, the County of Lassen is pursuing local reuse options for the Sierra Army Depot which may include commercial ventures that may require rail service to the north over the proposed abandonment and the process for reuse analysis of Sierra Army Depot will extend beyond the March 29, 1996 time frame set for public input into the proposed abandonment decision; and

WHEREAS, the Feather River Rail Society, the organization that operates the Portola Railroad Museum in Portola, California and Motorcar Operators West, an organization whose members own and operate railroad motor cars throughout the western United States have expressed interest in using the railroad line for alternate railroad purposes including passenger tourist trains and motorcar events; and

WHEREAS, interest in using the line for rail cycling has been expressed by individuals seeking safe and legitimate locations to operate individual outings and/or a commercial railcycling venture; and

WHEREAS, Lassen County is seeking ways to diversify its economic base including tourism; and

WHEREAS, the Wendel to Alturas line could be part of a much larger tourist railroad loop connecting communities in Lassen, Modoc and Plumas Counties on existing track; and

WHEREAS, the Shasta Cascade Wonderland Association, of Redding California which is a private organization that represents northern California's tourism interests is actively seeking ways to attract and transport people to northern California to see and enjoy the natural and scenic resources of this area; and

WHEREAS, additional time beyond the March 29, 1996 public input deadline is needed to determine the feasibility of alternate rail uses; and

WHEREAS, Lassen County residents and visitors use and enjoy the Bizz Johnson Trail, a rails to trails conversion of the former Southern Pacific Fernley and Lassen Branch line, and have expressed support for trail use of the Wendel to Alturas line if it is abandoned and rails and ties are removed;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Lassen as follows:

Section 1.

The Board of Supervisors opposes abandonment of the Wendel to Alturas line and supports keeping the north south rail line in place until such time as the local reuse authority process for the Sierra Army Depot reutilization has been completed and a determination of need has been made for whether or not future rail serve over this line will be needed by future occupants of the reused army base; and

Section 2.

If, after completion of the Sierra Army Depot local reuse authority process, commercial freight use of the Wendel to Alturas rail line cannot be justify, the Board of Supervisors supports keeping the Wendel to Alturas rail line in place for alternate rail uses including excursion trains and/or recreational use of the rail line provided that a rail operation organization takes on responsibility for operation of the line.

Section 3.

If, after pursuing the actions specified in sections 1 and 2, rail use of the Wendel to Alturas line does not continue, the Board of Supervisors supports rail banking of the Wendel to Alturas line by the Bureau of Land Management to preserve the railroad right-of-way for future rail use and for interim trail use of the railroad grade and corridor until such time as rail use may be reinstated on the corridor.

Section 4.

If rail banking occurs, a management plan with public involvement and environmental assessment should occur to identify issues affecting management of the rail banked corridor and to develop a management plan that addresses and mitigates impacts of potential trail uses.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Lassen held on March 19, 1996, by the following vote:

AYES: Supervisors Loubet, Neely, Chapman, Lemke, Lough

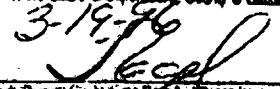
NOYES: None

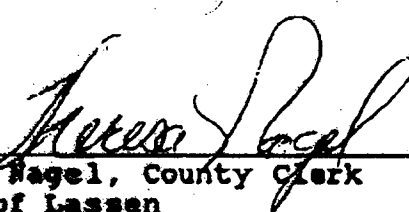
ABSENT: None

ABSTAIN: None


Chairman, Lassen County Board of Supervisors

In accordance with Section 25100 of the Government Code of the State of California a copy of this document has been delivered to the Chairman of the Board of Supervisors, County of Lassen on

3/19/96

Clerk, County Clerk of the Board of Supervisors

ATTEST:

Theresa Nagel, County Clerk
County of Lassen

I Theresa Nagel, County Clerk of the County of Lassen, State of California, and ex-officio Clerk of the Board of Supervisors thereof, do hereby certify that the foregoing resolution was duly adopted by said Board of Supervisors at a regular meeting held on the 20th day of February, 1996.

County Clerk and ex-officio Clerk of
the Board of Supervisors

1 A RESOLUTION OF CITY OF SUSANVILLE'S SUPPORT FOR USE OF THE
2 PROPOSED SOUTHERN PACIFIC RAILROAD RIGHT-OF-WAY FROM
3 WENDEL TO ALTURAS FOR CONTINUED COMMERCIAL RAIL USE,
4 AND IF NOT ECONOMICALLY VIABLE FOR CONTINUED FREIGHT USE,
5 FOR ALTERNATE RAIL USE FOR TOURIST AND RECREATIONAL
6 RAIL USES, AND IF NOT VIABLE FOR ANY OF THE ABOVE RAIL USES,
7 SUPPORT FOR RAIL BANKING OF THE CORRIDOR FOR POTENTIAL
8 FUTURE RAIL USE AND FOR INTERIM TRAIL USE OF
9 THE RAIL GRADE AND RIGHT-OF-WAY.

10 WHEREAS, the City of Susanville will have an adverse economic impact if the proposed
11 85 mile Southern Pacific Railroad abandonment from near Wendel to near Alturas is
12 approved; and

13 WHEREAS, the City of Susanville is pursuing local reuse options for the Sierra Army
14 Depot which may include commercial ventures that may require rail service to the north
15 over the proposed abandonment, and the process for reuse analysis of Sierra Army Depot
16 will extend beyond the March 29, 1996, time frame set for public input into the proposed
17 abandonment decision; and

18 WHEREAS, the Feather River Rail Society, the organization that operates the Portola
19 Railroad Museum in Portola, California and Motorcar Operators West, an organization
20 whose members own and operate railroad motor cars throughout the western United
21 States, have expressed interest in using the railroad line for alternate railroad purposes
22 including passenger tourist trains and motorcar events; and

23 WHEREAS, interest in using the line for rail cycling has been expressed by individuals
24 seeking safe and legitimate locations to operate individual outings and/or a commercial rail-
25 cycling venture; and

26 WHEREAS, the City of Susanville is seeking ways to diversify its economic base including
27 tourism; and
28

Resolution No. 96-2774 continued:

WHEREAS, the Wendel to Alturas line could be part of a much larger tourist railroad loop connecting communities in Lassen, Modoc and Plumas Counties on existing track; and

Resolution No. 96-2774 continued:

WHEREAS, the Shasta Cascade Wonderland Association, of Redding, California which is a private organization that represents northern California's tourism interests is actively seeking ways to attract and transport people to northern California to see and enjoy the natural and scenic resources of this area; and

WHEREAS, additional time beyond the March 29, 1996, public input deadline is needed to determine the feasibility of alternate rail uses; and

WHEREAS, City of Susanville residents and visitors use and enjoy the Bizz Johnson Trail, a rails to trails conversion of the former Southern Pacific Fernley and Lassen Branch line, and have expressed support for trail use of the Wendel to Alturas line if it is abandoned and rails and ties are removed;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Susanville as follows:

Section 1.

The City Council opposes abandonment of the Wendel to Alturas line and supports keeping the north south rail line in place until such time as the local reuse authority process for the Sierra Army Depot reutilization has been completed and a determination of need has been made for whether or not future rail service over this line will be needed by future occupants of the reused army base; and

Section 2.

If, after completion of the Sierra Army Depot local reuse authority process, commercial freight use of the Wendel to Alturas rail line cannot be justified, the City Council supports keeping the Wendel to Alturas rail line in place for alternate rail uses including excursion trains and/or recreational use of the rail line, provided that a rail operation organization takes on responsibility for operation of the line.

Resolution No. 96-2774 continued:

Section 3.

If, after pursuing the actions specified in Sections 1 and 2, rail use of the Wendel to Alturas line does not continue, the City Council supports rail banking of the Wendel to Alturas line by the Bureau of Land Management to preserve the railroad right-of-way for future rail use and for interim trail use of the railroad grade and corridor until such time as rail use may be reinstated on the corridor.

Section 4.

If rail banking occurs, a management plan with public involvement and environmental assessment should occur to identify issues affecting management of the rail banked corridor and to develop a management plan that addresses and mitigates impacts of potential trail uses.

APPROVED


James C. Jeskey, Mayor

ATTEST:

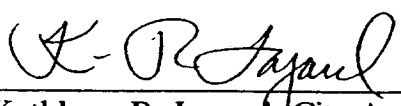

Mary A. Fahlen, City Clerk, CMC

The foregoing resolution was adopted at a regular adjourned meeting of the City Council of the City of Susanville, held on the 20th day of March, 1996 by the following vote:

AYES: Johnson-Wright, Sayers, Callegari, Templeton, and Jeskey
NOES: None
ABSENT: None
ABSTAINING: None


Mary A. Fahlen, CMC, City Clerk

APPROVED AS TO FORM:


Kathleen R. Lazard, City Attorney

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF MODOC
RESOLUTION NUMBER 03-24**

WHEREAS, on August 6, 1996 the Surface Transportation Board of the United States of America authorized abandonment a segment of the Modoc Line from Wendell, Ca to the MacArthur siding near Alturas (an approximate distance of 85 miles); and

WHEREAS, attempts on the part of the City to purchase the line for operation of a short line railroad have failed; and

WHEREAS, the Union Pacific Railroad has recently exercised it's option to consummate the abandonment with the removal of the track, ties and sell right-of-way; and

WHEREAS, the Modoc Rail Line has played an important part in the nations transportation infrastructure by providing an alternate and direct route from the central rail corridor to pacific northwest cities and harbors; and

WHEREAS, the Modoc Rail Line has played an important role in the development of Modoc County by providing transportation of heavy base resources; and

WHEREAS, due to the strategic location of the corridor for the Count of Modoc and the national transportation system, there remains a need for rail; and

WHEREAS, Rail Banking the right-of-way will protect it for possible future use and provide interim recreational opportunities.

NOW, THEREFORE BE IT RESOLVED, that the Modoc County Board of Supervisors supports rail banking for the preservation of the right-of-way and in conjunction with the City of Alturas desires to negotiate with Union Pacific Railroad for the purchase of said right-of-way.

PASSED AND ADOPT by the Board of Supervisors of the County of Modoc, State of California, on the 15th day of July, 2003, by the following vote:

YES: Supervisors Cantrall, Macsay, Dunn, Hagge, Bradshaw

NOES: None.

ABSTAIN: None.

ABSENT: None.



By: Mike Dunn
Mike Dunn, Chairman, Board of Supervisors

ATTEST:

Melanie Madison
County Clerk and Ex-Officio Clerk of the
Board of Supervisors

BOARD OF SUPERVISORS OF THE COUNTY OF MODOC

RESOLUTION NO #2003-19**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF ALTURAS**

WHEREAS, on August 6, 1996 the Surface Transportation Board of the United States of America authorized abandonment of a segment of the Modoc Line from Wendell, CA to the MacArthur siding near Alturas (an approximate distance of 85 miles); and

WHEREAS, attempts on the part of the City of Alturas to purchase the line for operation of a short line railroad have failed; and

WHEREAS, the Union Pacific Railroad has recently exercised it's option to consummate the abandonment with the removal of the track, ties and sell the right-of-way; and

WHEREAS, the Modoc Rail Line has played an important part in the nations transportation infrastructure by providing an alternate and direct route from the central rail corridor to pacific northwest cities and harbors; and

WHEREAS, the Modoc Rail Line has played an important role in the development of the City of Alturas by providing transportation of heavy base resources; and

WHEREAS, due to the strategic location of the corridor for the City of Alturas and the national transportation system, there remains a need for rail; and

WHEREAS, Rail Banking the right-of-way will protect it for possible future use and provide interim recreational opportunities.

NOW, THEREFORE, BE IT RESOLVED, that the Alturas City Council supports rail banking for the preservation of the right-of-way and in conjunction with the County of Modoc desires to negotiate with Union Pacific Railroad for the purchase of said right-of-way.

PASSED AND ADOPTED by the City Council of the City of Alturas at a regular meeting held on the 8th day of July, 2003, by the following vote:

AYES: Councilmembers: George W. Andreasen, Joe Coffin, Jerry Smith

NOES: None

ABSENT: Councilmembers: John Vass, Jack Ochs

ABSTAIN: None

CITY OF ALTURAS
RESOLUTION #2003-19
Page Two


GEORGE W. ANDREASEN, Mayor

ATTEST:


CARY L. BAKER, City Clerk

STATE OF CALIFORNIA
COUNTY OF MODOC...
CITY OF ALTURAS
I, CARY L. BAKER, CITY CLERK DO HEREBY CERTIFY
THAT THIS IS A FULL, TRUE AND CORRECT COPY OF
THE ORIGINAL DOCUMENT ON FILE IN MY OFFICE.
WITNESS MY HAND AND OFFICIAL SEAL THIS
14th DAY OF July 2003
CARY L. BAKER, CITY CLERK
BY Cary L. Baker

County of Lassen
Board of Supervisors



ROBERT F. PYLE
District 1
JIM CHAPMAN
District 2
LLOYD L. KEEFER
District 3
BRIAN D. DAHLE
District 4
JOHN E. HANSON
District 5

WILLIAM D. BOXBY
Administrative Officer
County Administration Center
221 South Roop Street, Suite 4
Susanville, CA 96130-4339

(530) 251-8333
FAX: (530) 257-4888
e-mail: coadmin@co.lassen.ca.us

June 16, 2005

Michael Walker
The Honorable Dianne Feinstein
United States Senator
One Post Street, Suite 2450
San Francisco CA 94104

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Office of Proceedings

AUG 23 2005

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Public Record

Dear Mr. Walker: *Michael*

In follow-up to our conversation about a number of the issues we're facing here in Lassen County that we would like to bring to the Senator's attention, I have enclosed the attached packet of information that includes:

- Scoping comments that the Board of Supervisors is sending to the Winnemucca Office of the Bureau of Land Management concerning a proposed 1,400 megawatt coal-fired power plant near Gerlach, Nevada, that would be obtaining a substantial amount of its cooling water from the Smoke Creek watershed that emanates from the east side of Lassen County near the State line.
- The County's draft comments of the North Valleys Draft Environmental Impact Statement that is in the public review period that closes on July 20. As the Senator may recall, a similar project was proposed in 1993 that was suspended by the Secretary of the Interior Bruce Babbitt and Senator Harry Reid (related press releases enclosed) pending resolution of three issues: 1) concurrence of the USGS on regional ground water modeling; 2) Sierra Army Depot ground water contamination; 3) concurrence from Pyramid Lake Paiute Tribe on Trust Responsibility issues. Lassen County is very concerned about the potential adverse effects this project could have on the Honey Lake Valley that we share with Nevada and that the three reasons for suspension of the EIS in 1994 have not yet been resolved.

I have also included a copy of the summary of the Draft Environmental Impact Statement for the project that includes a CD Rom of the full text.

Michael Walker
Senator Dianne Feinstein
June 16, 2005
Page 2 of 2

- Another project that concerns Modoc and Lassen Counties is the need to preserve the Wendel-Alturas segment of the Modoc Railway Corridor. I have included a letter from the Chairman of the Board of Supervisors addressed to the American Land Conservancy who have recently met with us and shown interest in working on the protection of this corridor. Attached to the letter are past resolutions that underscore our interest in preserving this corridor.

As always, Lassen County appreciates the interest and continued support the Senator has shown to Lassen County on matters that are of great importance, not only locally but on a national level as well.

I'm looking forward to visiting again with you and further discussing these matters at the groundbreaking for the Amedee Field runway extension made possible by the Senator at Sierra Army Depot on June 30.

Sincerely,



John E. Hanson,
Lassen County Supervisor, District 5

JEH:RKS:mes
Enclosures

1208.15/Senator Feinstein 6-16-05

Attachments to June 16, 2005, letter the Senator Dianne Feinstein can be found in file 800.01; they include:

June 8, 2005, Board letter, Granite Fox Power Plant EIS scoping comments.

May 26, 2005, CDD map of pending well applications, Granite Fox Power

June 14, 2005, Board letter, Kerry O'Toole, American Land Conservancy, Modoc Railway Corridor

June 13, 2005, Draft Board letter, North Valleys Water Project DEIS Comments #2

May 2005 Summary of the Draft EIS (with CD Rom), North Valleys Rights-of-Way Project